

REMARKS

Claims 1-40 are pending in the application.

Claims 1-40 stand rejected.

Claims 1, 15, 36, 37, 39, and 40 have been amended. These amendments have been made for clarification purposes only and do not narrow the scope of these claims.

Objection to the Abstract

The Abstract of the disclosure was objected to for containing more than 150 words. The Abstract has been amended to include fewer than 150 words.

Rejection of Claims under 35 U.S.C. §102

Claims 1-40 stand rejected under 35 U.S.C. §102(b) as being anticipated by Template Software's Workflow product. Applicants respectfully traverse this rejection.

In the rejection of claim 1, the Examiner relies on two manuals describing Template Software's Workflow product in the rejection of claims 1-40. The two manuals, "Developing a WFT Workflow System" (referred to herein as "WFT") and "Using the WFT Development Environment (referred to herein as "Using"). These manuals, even when considered as a single reference (which Applicants, in fact, argue is not the case), clearly fail to anticipate, teach, or suggest claim 1.

Claim 1 recites: "A method for creating an electronic document description of a computing environment installed on first computing hardware, the method comprises
identifying at least one software component of the computing environment; and
automatically generating an electronic document containing an identification of each of the at least one software component, the electronic document comprising instructions for automatically reconstructing the computing environment on the first computing hardware or on other computing hardware."

Template Software's Workflow System teaches a workflow system, which "consists of tasks, work items that are routed among tasks, and facilities for monitoring and managing the

flow of work items through the system. The Workflow Template (WFT) provides predefined workflow system elements, an integrated development environment, and the tools you need to build a workflow system.” WFT, page 2-2.

In the rejection of claim 1, the Examiner appears to equate the “work item” taught in Using and WFT with the “electronic document” recited in claim 1. A work item is defined in the reference to be: “the information processed by a task; a collection of one or more work item objects that is delivered as input to a task” (WFT, page 2-11). Thus, a work item is information that is processed by a task. In contrast, the electronic document of claim 1 is information that identifies at least one software component. Accordingly, the work item taught in WFT clearly does not anticipate the electronic document of claim 1. In particular, the work item taught in the reference does not contain identification of at least one software component that has been identified within a computing environment. Furthermore, no other portion of the cited reference teaches or suggests such an electronic document.

Additionally, the cited reference fails to teach or suggest “identifying at least one software component of the computing environment”, as recited in claim 1. The Examiner cites Chapter 6 of Using as teaching this feature of Applicants’ claims. Chapter 6 “describes the tools, menus, and other mechanisms that the Task Editor provides for editing tasks and forms of your workflow system.” Using, page 6-1. Tasks are defined as the “smallest significant unit of work activity within a business process; a point in a workflow system where work items are created, processed, or destroyed.” Using, page 6-5. A unit of work activity neither teaches nor suggests a software component, or the identification of such a software component. Accordingly, the reference clearly fails to teach or suggest “identifying at least one software component of the computing environment.”

Furthermore, Applicant’s representative was unable to find any teaching or suggestion relating to “identifying at least one software component” of a computing environment in the 86 pages (Chapter 6) cited by the Examiner. Applicant notes that, under 37 C.F.R. §1.104(c)(2), “The examiner must cite the best references at his or her command. When a reference is complex or shows or describes inventions other than that claimed by the applicant, the particular part relied on must be designated as nearly as practicable.” Pursuant to 37 C.F.R. §1.104(c)(2), Applicant respectfully request that the Examiner more clearly point out which portion of Chapter 6 is being relied upon in the rejection of claim 1.

The cited reference also fails to teach or suggest an “electronic document comprising instructions for automatically reconstructing the computing environment”, as recited in claim 1. The Examiner cites Chapters 6 and 7 of “Using”, as well as Chapters 2 and 3 of “WFT”, and states that “upon receiving the work item the Applications perform specific tasks on them depending on the type of work item received the Application is configured.” Applicant notes that performing specific tasks upon a work item, based on the type of work item received, clearly fails to teach or suggest “an electronic document comprising instructions for automatically reconstructing the computing environment”, as recited in claim 1. Furthermore, Applicant’s representative was unable to find any such teaching or suggestion in the cited portions of the reference (which total 128 pages). Again, pursuant to 37 C.F.R. §1.104(c)(2), Applicant respectfully request that the Examiner more clearly point out which portion of the reference is being relied upon in this portion of the rejection of claim 1.

For at least the above reasons, claim 1 is patentable over the cited references. Claims 2-40 are also patentable for similar reasons.

CONCLUSION

In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned at 512-439-5087.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 31, 2004.


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8-31-2004
Date of Signature

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